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J. Ellis  
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DOCKET NO: C1068.70005US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Todd O. Burger, et al.  
Serial No: 09/675,438  
Confirmation No: 9912  
Filed: September 28, 2000  
For: PORTABLE ELECTRONIC AUTHORIZATION SYSTEM  
AND METHOD  
Examiner: Pierre E. Elisca  
Art Unit: 3621

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 29<sup>th</sup> day of December, 2003.

*Paula Rinecker*  
Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

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Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicants would also like to bring to the Examiner's attention the following documents (copies of which are enclosed) that have been generated by the European Patent Office in connection with related International Application No. PCT/US00/26716: the International Search Report dated 02/26/01, the Written Opinion dated 01/10/02, and the Preliminary Examination Report dated 03/05/02. All of the art cited in these documents was submitted with the Information Disclosure Statement filed in this Application on March 27, 2001.

Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
Todd O. Burger, et al., *Applicant*

By: 

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Docket No. C1068.70005US00  
Date: December 29, 2003  
**XNDDX**